

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

February 1, 2010

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black
Commissioner Adam Coggin
Commissioner Gary Farley
Commissioner Jeff Jordan
Commissioner Jeff Phillips
Commissioner Steve Sandlin
Commissioner John Rodgers, C

OTHERS PRESENT:

Ernest Burgess
Sonya Stephenson
Jim Daniel
Ron Williams
Steve Schroeder
Susan Allen
Becky Shelton

Chairman Rodgers presided and called the meeting to order at 5:30 p.m. with all members being present at that time.

MINUTES:

"Commissioner Coggin moved, seconded by Commissioner Phillips, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

HUMAN RESOURCES REPORT:

Sonya Stephenson presented the quarterly Human Resources report for the use and information of the Committee. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Coggin, to approve the Human Resources report as presented. This motion passed unanimously by acclamation."

REQUEST FROM PUBLIC SAFETY COMMITTEE TO ADDRESS DEFINITION OF OEM IN T.C.A. AND AMENDMENT THAT IT ONLY APPLY TO THE VOLKSWAGEN OEM IN HAMILTON COUNTY:

Mayor Burgess advised he has been in communication with Nissan representatives and Nissan had already begun doing direct registration with the State. To date 956 vehicles have been registered. Of these, 364 were for Rutherford County residents. A yearly average would be 1,200 and approximate \$65,000 in County revenue. The Committee was advised during 2009, 3,284 vehicles were registered through the Clerk's office. The fees generated by the direct registration were held by the State on these 364 vehicles but may have been received by now. The direct registration with the State was fully phased in during December, 2009. Mayor Burgess advised Nissan has not yet applied to the State for wheel tax exemption but he felt they would. Commissioner Farley advised Representative Rowland and Senator Ketron have a bill pending at the Legislature to exempt Rutherford County and any other county that so desired from the prior legislation and advised this seemed responsive to what the County wanted.

COUNTY ATTORNEY LEGAL SERVICES AGREEMENT:

The Committee was provided the proposed Legal Services Agreement with the County Attorney as well as a cost analysis of the savings to the County. Mayor Burgess advised it was essentially the same agreement as presented before with minor changes highlighted. Mayor Burgess reminded the Committee of the discussion last month regarding the word "consent" and advised the deletion of the same was not acceptable to the County Attorney. The County Attorney feels he

has a legal responsibility and obligation to consent to the Mayor's recommendation on outside counsel and this is not a negotiable item. Commissioner J. Jordan inquired if the Mayor was satisfied and comfortable with the word "consent" and the Mayor advised he was as the Commission ultimately approves the decision. Another major change is Section 5B regarding professional liability insurance and the County Attorney to be treated like other elected or appointed officials or employees.

Mayor Burgess advised the agreement was discussed initially September, 2007 with much subsequent discussion.

Mayor Burgess reviewed the cost analysis provided to show savings provided for by the agreement including the base salary of the County Attorney, delinquent tax staff, bond opinion letter fees and hourly rates.

Mayor Burgess advised there is nothing else on the table to negotiate that the County Attorney will agree to. The agreement may not be perfect but it puts the County on track for in-house counsel.

Commissioner Phillips advised he liked some of the language provided by the RNA and suggested it could be used in a future Legal Services Agreement.

Commissioner Ronald Williams advised he thought the agreement needed a termination clause for the County to be able to move forward if it found the right person for the position or suggested keeping the situation as it is. Commissioner Williams advised he hoped the County either kept the situation as is or if the County goes forward to have the HR Department do a job description and have a six month termination clause.

Commissioner Jim Daniel advised the County is working with a firm with a lot of experience and knowledge and the agreement spells out a good phase in for in-house counsel. There is no document that wouldn't have problems but if both sides work together they can make any situation work.

Steve Schroeder of RNA advised their group researched the matter and their comments were for the Commissioners' consideration.

Commissioner Phillips advised he wanted to maintain a good relationship with the current County Attorney and solicit his help in the transition to in-house and Mr. Cope's recommendations have worked out well in the past. Following discussion,

"Commissioner Phillips moved, seconded by Commissioner Black, to accept the Legal Services Agreement as presented with the same to be presented for Commission approval concurrent with the Private Act. This motion passed unanimously by acclamation."

There appearing to be no further business to come before the Committee, Chairman Rodgers declared the meeting adjourned at 6:51 p.m.

JOHN RODGERS, Chairman